

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE, WA BAR #32245
Associate General Counsel
Office of Program Litigation, Office 7
Social Security Administration
FRANCO L. BECIA, WA BAR #26823
Special Assistant United States Attorney
6401 Security Boulevard
Baltimore, MD 21235
Telephone: (206) 615-2114
Fax: (206) 615-2531
Email: Franco.L.Becia@ssa.gov
Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(SACRAMENTO)**

IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) to take any necessary action to complete the administrative record, offer Plaintiff a new hearing (de novo), and issue a new decision. The parties further request that the Court

Stip. for Remand, Order and Judgment: 2:23-cv-01352-DMC

1 direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against
2 Defendant, reversing the final decision of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
4 Social Security Act, 42 U.S.C. 405(g).
5

6 Respectfully submitted,

7 Dated: September 11, 2023

/s/ Francesco Paulo Benavides*

(*as authorized via e-mail on September 11, 2023)
Francesco Paulo Benavides
Attorney for Plaintiff

10 Dated: September 11, 2023

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

14 By: /s/ Franco L. Bacia

Franco L. Bacia
Special Assistant U.S. Attorney
Attorneys for Defendant

17 **ORDER**

18 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
19 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
20 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
21 Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social
22 Security Act, 42 U.S.C. 405(g).
23

24 Dated: September 12, 2023



25
26 DENNIS M. COTA
27 UNITED STATES MAGISTRATE JUDGE
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